

REMARKS

Claims 63-86 remain pending in the Application. Claims 63, 69, 77, and 82 are amended. Claims 1-62 were previously canceled without prejudice.

The Examiner rejected claims 63-64, 66-72, and 74-86 under 35 U.S.C. § 102(e) as being anticipated by Knudson et al. (U.S. Patent Application No. 2005/0204388). The Examiner rejected claims 65 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Knudson et al. in view of Boyer et al. (U.S. Patent Application No. 2002/0026496). Applicants respectfully disagree.

Because non-frame programs may be implicated in Figs. 7 and 10 of Knudson et al., Applicants have amended base claims 63, 69, 77, and 82 to more clearly recite that the "displaying" of information also "informs the user that the unscheduled program is expected to be available at a later time" (See Application, Fig. 2). No new matter is added by the foregoing amendments.

Base claims 63, 69, 77, and 82 patently improve upon Knudson et al. because Applicant's approach explicitly "informs the user that the unscheduled program is expected to be available at a later time" (See amended base claims 63, 69, 77, and 82). As noted in a previous reply, the "displaying" of information that includes, for example, "Coming to PPV," "New This Fall," and "The New Season" is very different from the information displayed in Figs. 7 and 10 of Knudson et al. Because Knudson et al. do not teach or suggest all of the elements of now amended base claims 63, 69, 77, and 82, the §102 Rejection of base claims 63, 69, 77, and 82 should be withdrawn.

Because claims 64, 66-68, 70-72, 74-76, 78-81, and 83-86 depend from, and are limited by base claims 63, 69, 77, and 82 respectively, the §102 Rejection of these claims should be withdrawn.

Claims 65 and 73 were rejected under 35 USC §103(a) as being unpatentable over Knudson et al. in view of Boyer et al. For at least the foregoing reasons with respect to base claims 63 and 69, the combination of Knudson et al. with Boyer et al. fails to teach or suggest all of the elements of base claims 63 and 69, and consequently, dependent claims 65 and 73. Accordingly, the Examiner has failed to make a prima facie case of obviousness for claims 65 and 73. Therefore, the §103 Rejection of claims 65 and 73, which depend from base claims 63 and 69, respectively, should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicants believe the appropriate fee is included with this response. However, if additional fees are due, please charge our Deposit Account No. 18-1945, under Order No. 003597.0098 from which the undersigned is authorized to draw.

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Respectfully submitted,

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